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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

v.

\$163,500 in United States Currency,

Defendant.

3:23-CV-430-MMD-CLB

**Order Granting United States of
America's Motion to Modify the
Court's Order to Stay Substantive
Discovery**

Motion and Memorandum of Points and Authorities

The United States of America requests this Court to modify its Order to Stay Substantive Discovery under Fed. R. Civ. P. 60(a). On May 10, 2024, this Court granted the government's Motion to Stay Substantive Discovery "until both the motion to compel and motion to conditionally strike have been decided."¹ On July 17, 2024, this Court granted government's motions to compel and conditionally strike.² The Court also ordered Claimant Kite Isaac Finds The Feather to further supplement certain special-interrogatory responses within thirty days of the Court's Order³, resulting in a response deadline of August 16, 2024.

The stay on discovery was lifted when the Court decided and granted both of the government's motions. The discovery deadline for expert disclosures passed on July 30,

¹ Order Granting Motion to Stay Discovery, ECF No. 29.

² Order, ECF No. 32.

³ *Id.*

2024, and the next discovery deadline is August 29, 2024, for rebuttal expert disclosures.⁴ Although the stay on discovery is now lifted, the issues remain open regarding Claimant's incomplete responses to certain Special Interrogatories and have not yet fully resolved.

Plaintiff United States of America requests that this Court modify its Order on the Stay on Substantive Discovery *pending the complete resolution* of the Motion to Compel and the Motion to Conditionally Strike. Good cause exists to stay substantive discovery until the pending motions and litigation on standing have been fully resolved.

CONCLUSION

Plaintiff United States of America requests that this Court clarify and modify its Order and stay current and future substantive discovery pending the full resolution on government's Motion to Compel and Motion to Conditionally Strike.

Dated this 13th day of August 2024.

Respectfully submitted,

JASON M. FRIERSON
United States Attorney

/s/ Misty L. Dante
MISTY L. DANTE
Assistant United States Attorney

ORDER

Consistent with the above, the stay of discovery shall remain in place until full resolution of the government's Motion to Compel and Motion to Conditionally Strike. If the case is allowed to proceed, the government must file an updated Discovery Plan and Scheduling Order with 14 days after full resolution of the motions.

IT IS SO ORDERED.

Dated: August 14, 2024


UNITED STATES MAGISTRATE JUDGE

⁴ Scheduling Order, ECF No. 27.